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UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK

07 CV 11332 (SAS)

BIRMINGHAM ASSOCIATES LTD,

Plaintiff,

ORDER

- against -

ABBOTT LABORATORIES,

Defendant.

IT IS HEREBY ORDERED that Proposed-Intervenor Abbott Laboratories

Vascular Enterprises, Ltd.'s ("ALVE's") Motion to Intervene and to Compel Arbitration (the

"Motion") shall be filed on or before January 29, 2008; that Plaintiff's opposition to the Motion
shall be filed on or before February 19, 2008; and that ALVE's reply in further support of the

Motion shall be filed on or before February 29, 2008.

Dated: January  $\stackrel{>}{>}$ 0, 2008

HON. SHIRA & SCHEINDLIN, U.S.D.J.